

Appl. No. 10/729,230  
Reply to Office Action of February 13, 2006

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REMARKS/ARGUMENTS

Rejection of Claims

Claims 1-3 are rejected under 35 USC 103 (a) over Katoh (US 2002/0130943) alone, or in view of Maekawa (US 6,991,330).

Claims 1-3 are rejected under 35 USC 103(a) over Ashida (US 6,773,771) alone, or in view of Maekawa (US 6,991,330).

Declaration and Supplemental Declaration

The Examiner considers that the previously filed DECLARATION and SUPPLEMENTAL DECLARATION are insufficient. The details of experimental conditions were required to be added.

In response to the Examiner's comments, it is pointed out that the SUPPLEMENTAL DECLARATION (November 2005), on page 2, includes a description of the detailed experimental conditions which are required by the Examiner (Example 1 of Katoh was followed). Furthermore, the property of the support used in the test based on Katoh was specifically stated to be a polyethylene support (page 2). Also, the ink used in the test was disclosed.

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Furthermore, in the DECLARATION of May 2005, at page 2, the properties were described indirectly by reference to the preparation methods described in paragraphs [0219] and [0231] of Kato. It is submitted that this completes the description of the recording sheets 25, 28, 35, 52 and 54.

The Examiner questioned why the specific sheets were selected from the Kato disclosure. The DECLARATION of May 2005 includes on page 2 a specific explanation of why the sheets were selected, e.g. they have good bleeding resistance and a range of pH values within the claimed pH range. As evidence that this selection was representative, there is annexed hereto an additional DECLARATION covering the remaining sheets with respect to crack resistance. As can be seen from the reported results, the present invention provides superior results under conditions used.

The Examiner questions the ink composition used as compared with the ink composition disclosed in the art. It is not certain why this is relevant. It is submitted that the present invention recording sheets do not have to be superior under every possible condition to be patentable over the art. As described in the SUPPLEMENTAL DECLARATION (November 2005), a commercial ink jet

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printer using commercially available ink (Epson corp. PM-800 inkjet using Epson ink for the PM-800) was used. On the other hand, the practical relevance of the inks described in Katoh, cannot be determined from the composition disclosure (i.e. is it a practical or commercial ink or some special formulation not generally available).

Arguments

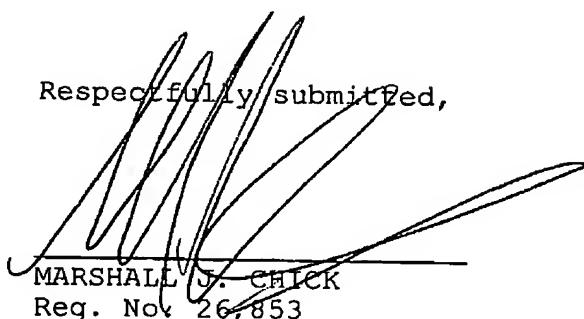
The Examiner cites 3 References to reject the present claims. However, as were already described in the DECLARATION submitted on November 17, 2005, neither Katoh nor Ashida teaches or suggests to use specific silica particles which satisfy the relationship defined in claim 1. The same is true for Maekawa. Maekawa does not teach nor suggest to use silica particles which satisfy the relationship of claim 1. Test data has been presented to provide evidence of unexpectedly superior activity for the claimed invention.

In view of the above, it is submitted that the present invention is not shown or suggested by the cited art. Withdrawal

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of the rejections and allowance of the application are  
respectfully requested.

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Respectfully submitted,  
  
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Encl.: EXECUTED SECOND SUPPLEMENTAL DECLARATION UNDER 37 CFR  
1.132 of Masayuki USHIKU dated April 14, 2006